HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 22822 OF 2006

DATED: 20.11.2006

Between:

D.V. Chalapathi Rao

… Petitioner

and

The Commissioner of Police (Traffic),
Hyderabad and another

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.22822 OF 2006

ORAL ORDER:

The petitioner submitted a complaint dated 9.10.2006 to the 1st respondent, complaining of grossly unlawful conduct, abuse of office and employment of unparliamentary language to the petitioner on 7.10.2006. The complaint of the petitioner dated 9.10.2006 also alleged that one Anjaiah, Sub-Inspector of Police, Malakpet along with a team of five constables at 5.30 p.m on Dilsukhnagar Chowrastha, were collecting bribes from autorickshaw drivers, instead of regulating traffic. No action having allegedly been taken by the 1st respondent and as the petitioner's driving licence was also seized by the 2nd respondent, the writ petition is filed claiming appropriate relief.

The 1st respondent has filed a counter affidavit dated 19.11.2006, wherein it is stated that on account of the negligence of the office staff of the answering respondent, the petitioner's complaint dated 9.10.2006 was not forwarded to the Additional Commissioner of Police, Traffic, who is the designated officer to deal with the complaint and therefore the negligent staff were identified and placed under

suspension pending disciplinary inquiry. It is also stated that as the contents of the petitioner's complaint disclosed commission of cognizable offences by the 2nd respondent, a complaint was registered as Cr.No.374 of 2006 under Sections 384, 511, 506 and 294 of the Indian Penal Code on 18.11.2006 on the file of the Malakpet Law and Order Police Station, arraying the 2nd respondent as an accused therein. The answering respondent states that investigation of the case would be taken up expeditiously and if the investigation discloses delinquent criminal conduct on the part of the 2nd respondent, appropriate process of law will be pursued.

In the light of the clear and categorical averments in the counter affidavit of the 1st respondent, no further proceedings are warranted.

The writ petition is disposed of recording the statement of the 1st respondent in the counter affidavit. There shall be no order as to costs.

GODA RAGHURAM, J

Date: 20.11.2006
CVM